

CONSERVATION COMMISSION

JUNE 10, 2015

(Approved 6/24/15)

MINUTES

PRESENT: J. Wiley, Chairman

A. Goetz, Vice Chairman

B. Dyer, R. Turner, J. Finnigan, (7:10) E. DiVirgilio (7:15)

Also Present: L. Hershey, Conservation Agent

Conservation Agent report given to members

Opened: 7:00

CERTIFICATE OF COMPLIANCE

WASHINGTON ST. LOTS A1/A2

DEP# 315-1060

Mr. Goetz made the motion to approve and issue a PARTIAL Certificate of Compliance

Ms. Dyer seconded the motion

Vote: 4-0-0

The commission discussed the cover letter should include that erosion controls shall remain on Lot B until the site is loamed, seeded and stabilized.

PUBLIC HEARING

NOTICE OF INTENT

SOUTH ST. #8, 26 & 62 (Demo)

DEP# 315-1088

Opened: 7:02

Mr. Wiley read the advertisement from the Walpole Times and green cards were collected

Mr. Wiley read the board comments into the record

Mr. Shawn Martin and Brian Krotz, of Fuss and O'Neil were present representing the Town of Walpole along with Ms. Robin Chapell, Board of Health . Plans were presented entitled, "South Street Demolition Permitting Documents" (Sheets G1-001, CP-101, & CD 501) dated 5/15/15, as well as a Wetlands Delineation Report, May 2015

Mr. Martin stated this parcel is part of a superfund site, and the project is the demolition of six buildings that are located on the site. Once the demolition is complete the site will be made ready for remediation and future redevelopment. Mr. Martin stated the site borders the Neponset River and proposed demolition will occur within the 100 ft. BVW. CR environmental delineated the area. Most of the proposed work is located in developed areas that include buildings, asphalt and concrete paving. Mr. Martin stated work will not alter or remove natural vegetation, and they are trying to minimize the work in the buffer. Trees that are located around the perimeter of the site will need to be removed as part of this project. Mr. Martin stated construction specs and erosion control notes are included in the plan including sweeping and dust control. As far as the Town Engineer comments are concerned, Mr. Martin stated some of the utilities have been capped and the plan is to cap all pipe materials to prevent any illicit discharge.

Ms. Chapell stated that a pest control plan will be in place as well.

Ms. Hershey asked once the buildings are taken down and the foundation taken out is the plan to remediate and seed the area.

Mr. Martin stated this application does not include the remediation, and as soon as this phase of the project is done, the responsible remediation group will take over.

Mr. Chapell stated the Town did not want that responsibility so will not do the clean-up. Because it is a Superfund site, they will not need to file. Once the buildings are removed they will test and clean the soils around the building

Mr. Martin stated perimeter controls will be in place

Ms. Hershey stated they would like straw wattles used and no haybales.

Mr. Turner stated he is pleased this project is moving forward and discussed testing being necessary underneath where the buildings were

Ms. Dyer asked once the superfund workers take over, who do they report to?

Ms. Chapell discussed there is no Town Board they need to go to, but EPA and other consultants as well are in charge. Both the BOH and EPA will have their phone numbers posted onsite as well.

Mr. Goetz commended the hard work of Ms. Chapell to get this moving. He stated the EPA has spent many hours researching who is responsible, and he is glad the area will be cleaned up.

Mr. Wiley discussed reinforcing specific concerns in the Order, including vehicle fueling shall not take place in the buffer zone, and that erosion controls need to be reviewed by the Conservation Agent prior to being removed, and the site shall be inspected at the end of each day and debris removed

Mr. Martin stated erosion controls will remain in place and the commission will be notified once they are ready to be removed.

Ms. Chapell stated they are working with the EPA and will make sure they have a copy of the plan and Order

Mr. Wiley discussed dewatering and runoff

Mr. Martin stated there are provisions to deal with nuisance runoff and there are ongoing inspections. Reports will occur on a weekly basis. Water could be pumped offsite if necessary

Mr. Wiley would like the runoff method of disposal referenced so the commission will know what to expect.

Mr. Wiley asked for questions or comments from the audience

Abutter, Larry McGetty asked when the demolition was going to begin

Mr. Krotz stated the project is out to bid and due by the end of June. He is hoping they can commence late summer or early Fall. The time for completion is approximately 90 days.

Mr. McGetty asked if it a police station has been approved

Ms. Chapell stated it has, and there is design for a Sr. Center but monies have not been appropriated.

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 6-0-0

Closed: 7:33

Specials conditions include vehicle fueling will not take place within the wetlands or buffer, or within 50 ft. of storm drains, erosion controls shall be reviewed by the conservation agent prior to removal and the applicant shall make sure dust control will not cause uncontrolled runoff to a wetland resource area

CONT. PUBLIC HEARING

NOTICE OF INTENT

MOOSEHILL RD. #272

DEP# 315-1087

Opened: 7:35

Mr. Wiley read the advertisement from the Walpole Times. This Hearing was opened May 27, 2015 and continued.

Mr. Rob Truax was present from GLM Engineering, representing the applicant Jim Williamson of Barberry Homes, LLC., also present.

Mr. Truax stated he has no new plans to present this evening but would like to discuss some comments and concerns that have resulted from the site visit which occurred on June 7, 2015. Some commission members and abutters attended the site visit.

Mr. Truax submitted a pump station design to the office today, dated 4/13/15. He stated it went out to Weston and Sampson for peer review and he anticipates getting the review back tomorrow. Mr. Truax

stated it is being reviewed for the Sewer and Water Dept. and once approved he will come back with the calculations and drawings.

Mr. Truax stated he and Mr. Williamson took photos of another rental community, Avalon, and submitted the pictures for the commission to view of the trash /recycle building. He explained the building is totally contained; a sealed unit where no liquids are able to escape. The whole dumpster will be removed, emptied and replaced back on-site on a schedule. Mr. Truax stated bins are located on one side and the compactor is located on the other side. He stated the building will be shut down for a few hours only when the dumpster is removed. Mr. Truax gave Mr. Goetz information regarding the Oil and Grit separator and stated it is DEP Approved. He discussed the drainage system in more detail. Mr. Truax also stated he brought in a landscape architect who has experience with wetland landscaping to listen to thoughts from the commission.

Ms. Hershey stated she emailed Mr. Truax with her concerns after the site visit occurred. She stated he addressed some concerns with stormwater management. She stated Mr. Truax had the limit of work and walls staked so the commission could review it. She is concerned with the amount of trees that are proposed to be taken down in the buffer zone. Ms. Hershey discussed her concern of the impact of creating an urban environment next to a forested area. She stated this is a unique environment with the cold water fishery. Ms. Hershey discussed the possibility the project be pulled back in order for the buffer zone with trees to be left undisturbed. Ms. Hershey asked about mitigation, and if the applicant could provide additional plantings for shading. Ms. Hershey's agent report will be attached to the minutes. Ms. Hershey also discussed her concerns with the location of the pump station

Mr. DiVirgilio stated he was unable to attend the site visit but has concerns regarding the area where the slope is steep and goes to the wetlands.

Mr. Turner discussed his thoughts that the compactor should be sanitized as well as the recycle area. He discussed concerns regarding the machinery breaking down and how the building will be maintained over time especially in the location where they are proposing. Mr. Turner stated he is not happy with the location of the pump station and concerned of the height of the fences and distance from the wall sloping down to the wetlands. He feels more space is needed

Ms. Dyer stated she agrees with the description Ms. Hershey used "Urban development in a forested area". She stated more vigilance by the commission may be required for a unique project like this. The land which was going to be used as recreation possibly could be used as more of a buffer area to include trees etc. She stated possibly the landscaper could work to make things more natural and wooded as opposed to urban-like. Ms. Dyer stated she does not like the location of the pumping station and trash facility, as it is too close to the wetlands. She stated they may have the best of intention as to maintaining it, but would like it pulled away from a resource area. Ms. Dyer stated she feels this is not a usual project and that she would like things pulled back with a bigger buffer

Mr. Goetz discussed the bypass system and asked for its location on the plan

Mr. Truax discussed the detail regarding the oil separator shown on the detail sheet and the calculations as well. He stated it was all peer reviewed with details on each one individually

Mr. Goetz stated his main concern was making sure what is collected couldn't be washed out into sensitive areas. Mr. Goetz stated the sewer pump station should be relocated. He understands the

applicant may not want the trash/sewer building in another area, but that it may be better maintained if it is out in front where it is more public

Mr. Wiley stated the trash facility would need to be monitored daily, and he is opposed to the location of the sewer pump station. Mr. Wiley has concerns regarding storage and overflow due its proximity to the resource area

Mr. Truax stated the station needs to go to the lowest elevation to work. He stated they do not overflow as a rule and it will be properly maintained. He cited other pump stations in Walpole where there have been no issues.

Mr. Wiley discussed relocating the piping to where it wants it to go, and the location of the pump station needs to be looked at seriously.

Attorney Adam Costa, of Blatman, Bobrowski, Mead & Talerman, LLC , stated the applicant requested he come to the hearing tonight and how modifications could affect them. Attorney Costa gave background regarding the application which went before the Zoning Board of Appeals. He stated there have been three separate lawsuits, appeals and a negotiated settlement with the Town. He discussed that now there is a comprehensive permit with the Zoning Board of Appeals, and they would be hesitant to go back to the ZBA again for approval. Minor changes such as increasing the amount of buffer may not be an issue but State law governs that a significant change such as moving a structure would include opening a Public Hearing and notification of abutters. Attorney Costa stated this would be problematic and would involve losing some leverage. The applicant could decide to appeal a decision to DEP or go back to the ZBA

Mr. Wiley stated it is the conservation commission's job to protect the resource area. He stated the location of the pump station poses potential for problems in a very sensitive area and the board has the responsibility under the Wetlands Protection Act to protect the resource area.

Ms. Hershey stated the applicant can always request what has been submitted as the plan of record and close the Public Hearing if they choose

Attorney Costa stated they are not ready to do this at this time

Mr. Wiley asked for questions and comments not already discussed in the past from the audience

Mr. Michael Vaites, Johnson Dr. asked about the oil/grit separator and how often is it cleaned

Mr. Truax believes it is a few times a year

Mr. Wiley stated the commission can ask for reports for any of the continuing conditions

Mr. Vaites discussed his concern if any oil is spilled. He would also like to know how everything is followed if there is a transfer of ownership

Mr. Wiley stated the Order and continuing conditions go in perpetuity and are recorded at the Registry of Deeds...

Ms. Laura Vaites, Johnson Dr. discussed the location of the pumping station to the stream and how a 1800 gallon holding tank could prevent flow to the stream.

Mr. Wiley discussed the soil conditions being good and drainage not being an issue

Ms. Vaites discussed during a high rainfall water coming from a steep grade could make a channel and redirect water flow, how would the retaining wall be affected if this happens

Mr. Wiley discussed a structural engineer is in charge of design

Mr. Vaites discussed testing fill that comes in for contaminates

Mr. Wiley stated material that is on site already will be used

Ms. Hershey stated the owners would not want to move contaminates to another site, they own the land and would want to take care of it.

Ms. Vaites discussed the pump station and her concerns with leaking and its effect on stream life. She discussed the importance of shading as being an asset to fish life

Mr. Wiley stated the commission is concerned and trying to protect the same things you are

The commission discussed continuing the Public Hearing and Mr. Truax was asked to get any additional plans to the office for the conservation to review by June 29th

Mr. Goetz made the motion to continue the Public Hearing until July 8, 2015 at 7:30 p.m.

Ms. Dyer seconded the motion

Vote: 6-0-0

MINUTES

MAY 27, 2015

Mr. DiVirgilio made the motion to approve the Minutes for May 27, 2015

Ms. Dyer seconded the motion

Vote: 6-0-0

SUMMER SCHEDULE

The commission discussed the summer schedule dates:

June 24, July 8 and August 12, 2015

The commission discussed correspondence which was available for review

Mr. Goetz made the motion to adjourn

Mr. DiVirgilio seconded the motion

Vote: 6-0-0

Meeting closed: 9:00